



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7**

11201 Renner Boulevard
Lenexa, Kansas 66219

08 APR 2015

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article Number: 7006 2760 0000 8647 1703

Mr. Gary M. Stimpson
Environmental Manager
Keokuk Steel Castings Matrix Metals, LLC
3972 Main Street
Keokuk, Iowa 52632

RE: Keokuk Steel Castings Matrix Metals, LLC
Keokuk, Iowa
RCRA ID No.: IAD980318133

Dear Stimpson:

Letter of Warning/Request for Information

On March 14, 2014, a representative of the U. S. Environmental Protection Agency (EPA) inspected your facility. The inspection was conducted under the authority of Section 3007 of the Resource Conservation and Recovery Act (RCRA).

My staff has reviewed the inspection report, and your April 2, 2014, response to the Notice of Preliminary Findings (NOPF) and determined that violations of RCRA were documented. We are requesting additional information regarding your facility's compliance status. Enclosed is a list of violations with outstanding questions followed by a list of questions and/or requested information. Also enclosed are instructions to be used in providing your response. Please carefully read and follow these instructions. Your response to this request in accordance with the instructions is required by Section 3007 of RCRA and substantial penalties may result from not complying. Please note that the EPA reserves its right to pursue appropriate enforcement actions, including penalties, for violations discovered as a result of the inspection, regardless of whether the violations were subsequently corrected.



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Within thirty (30) calendar days of receiving this letter, please mail your response to: Marc A. Matthews, AWMD/WEMM, U. S. Environmental Protection Agency, 11201 Renner Boulevard, Lenexa, Kansas 66219. To request an extension of the time limit, follow the instructions in the enclosure. Please direct all questions concerning this letter to Mr. Matthews, at (913) 551-7517.

Sincerely,



Donald Toensing,
Chief
Waste Enforcement and Materials Management
Branch
Air and Waste Management Division

Enclosures (3)

cc: Mr. Cal Lundberg, Chief, Contaminated Sites Section
Iowa Department of Natural Resources

List of Violations
Keokuk Steel Castings Matrix Metals, LLC
Keokuk, Iowa
RCRA ID No.: IAD980318133

- 1) Title 40 Code of Federal Regulations (40 CFR) §262.34(a)(4) - §265.31
Failure to operate hazardous waste container accumulation area to minimize the possibility of release
- 2) 40 CFR §262.34(a)(4) - §265.34
Failure to maintain a device to summon emergency assistance at a hazardous waste container accumulation area
- 3) 40 CFR §262.34(a)(4) - §265 Subpart D
Failure to have a RCRA Contingency Plan
- 4) 40 CFR §262.34(a)(4) - §265.16(a)(2)
Failure to provide training that includes Contingency Plan implementation

Requested Information
Keokuk Steel Castings Matrix Metals, LLC
Keokuk, Iowa
RCRA ID No.: IAD980318133

- 1) 40 CFR §262.34(a)(4) - §265.31 - Failure to operate hazardous waste container accumulation area to minimize the possibility of release.

During the inspection, the inspector observed the hazardous waste accumulation containers in the hazardous waste container accumulation area on pallets which were placed directly on the ground; however, no secondary containment was provided. Based on the presence of structurally unsound hazardous waste accumulation containers, the inspector determined that the hazardous waste container accumulation area is not being operated to minimize the possibility of release.

In your response, you stated that several possibilities were being considered for containment in the container accumulation area such as utilizing a lined cargo-container with a geo-thermal liner inside to contain spills and ramp to enter, or pouring two concrete pads for drums and totes.

You concluded the response to this NOPF by stating that improvements should be completed by May 2014.

In your response to this letter, please provide a statement and photographs depicting the work completed including the date of completion.

- 2) 40 CFR §262.34(a)(4) - §265.34 - Failure to maintain a device to summon emergency assistance at a hazardous waste container accumulation area.

During the inspection, the inspector asked Mr. Wellman where the nearest phone was located and if spill or fire control equipment is available nearby. Mr. Wellman did not know of any nearby phone, spill or fire control equipment. The inspector asked if the facility requires personnel to carry company issued cell phones. While facility personnel indicated that most personnel carry personal cell phones, there was no company policy for personnel handling or inspecting hazardous waste to carry company-issued cell phones, two-way communication devices, or any other communication device. The closest emergency response equipment/materials appeared to be located across the dirt lot at the Hawkeye Facility Shell Shop. As such, the inspector determined that devices are not immediately available at the main hazardous waste container accumulation area to summon emergency assistance at a hazardous waste container accumulation area.

In your response, you stated that two possibilities were under consideration: one is to tie into Bag House #6's MACT alarm located across from the accumulation storage area and the other is to utilize 2-way radios.

You concluded the response to this NOPF by stating that the due date was May 2014.

In your response to this letter, please provide a statement indicating the option you selected and the date of implementation.

3) 40 CFR §262.34(a)(4) - §265 Subpart D - Failure to have a RCRA Contingency Plan.

During the records review conducted as part of the inspection, the inspector asked Mr. Stimpson if Keokuk Steel Castings (KSC) has a RCRA contingency plan. Mr. Stimpson explained that he could not locate the RCRA contingency plan at the time of the inspection. On March 17, 2014, the inspector received an email from Mr. Stimpson transmitting an oil spill contingency plan.

While 40 CFR §265.52(b) allows the use of a Spill Prevention, Control, and Countermeasures (SPCC) Plan as a RCRA Contingency Plan, the SPCC Plan must be sufficient to comply with the RCRA Contingency Plan requirements. The KSC Oil Spill Contingency Plan- Qualified Oil-Filled Equipment references KSC's SPCC Plan; however, the inspector did not review the SPCC plan during the CEI and the SPCC Plan was not included in the March 17, 2014 e-mail.

The KSC Oil Spill Contingency Plan- Qualified Oil-Filled Equipment addresses facility responses to oil spills only. The Plan does not address the required elements of a RCRA Contingency Plan as specified in 40 CFR §265.52(a) and (c) through (f). Specifically, the KSC Oil Spill Contingency Plan- Qualified Oil-Filled Equipment does not:

- Describe the actions facility personnel must take in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents [40 CFR §265.52(a)],
- Describe arrangements with emergency response agencies for emergencies other than oil spills [40 CFR §265.52(c)],
- List home addresses and home telephone numbers for the Emergency Coordinator and alternates (only office addresses and cellular telephone numbers are provided) [40 CFR §265.52(d)],
- Include a listing, description of locations, and descriptions of capabilities for all emergency response equipment at the facility (only communication equipment and spill absorbent materials are described) [40 CFR §265.52(e)], and
- Include an evacuation plan [40 CFR §265.52(f)]

Since the KSC Oil Spill Contingency Plan- Qualified Oil-Filled Equipment e-mailed to the inspector on March 17, 2014, does not address the required elements of a RCRA Contingency Plan, the preliminary finding for failure to have a RCRA Contingency Plan (NOPF Item No. 14) is still applicable at this time.

At the conclusion of the inspection, the inspector listed 40 CFR §262.34(a)(4)- 265.51(a) on the NOPF form for failure to maintain a RCRA Contingency Plan. However, as discussed above, KSC does not have a RCRA Contingency Plan meeting the requirements of 40 CFR §265 Subpart D.

On April 16, 2014, NOPF item #14 was changed to failure to have a RCRA Contingency Plan [40 CFR §262.34(a)(4)- 265 Subpart D] and the facility was notified of the change at that time.

In your response to this letter, please provide a copy of your RCRA Contingency Plan or the SPCC plan ensuring that the elements listed above are included in the plan including the date of completion.

4) 40 CFR §262.34(a)(4) - §265.16(a)(2) - Failure to provide training that includes Contingency Plan implementation

During the inspection, the inspector asked Mr. Stimpson if facility employees are trained. He explained that all employees receive Orientation and Safety training when hired, as well as annual refresher training. The inspector reviewed KSC's Orientation and Safety Training Manual, and noted that the training includes emergency equipment and procedures for response to various types of emergencies (including fires, explosions, and spills). However, RCRA training is required by 40 CFR §265.16(a)(2) to include contingency plan implementation. Since KSC does not have a RCRA Contingency Plan, the training provided by the facility does not cover contingency plan implementation.

NOPF item #18 was not initially included on the NOPF form left at the facility at the conclusion of the CEI. The preliminary finding was added on April 16, 2014 and the facility was notified of the addition at that time.

In your response to this letter, please provide a statement of how contingency plan implementation is included in required training and provide documentation that indicates training has occurred.

3007 RESPONSE INSTRUCTIONS

- * Identify the Person(s) responding to this request on your behalf.
- * Address each numbered item separately, and precede each answer with the number of the item to which it responds.
- * For each numbered item, identify all documents consulted, examined, or referred to in the preparation of the answer, or that contain information responsive to the requested item. Provide true, accurate, and legible copies of all such documents. (If information responsive to an item is available but there are no relevant source documents, you must still provide the information.)
- * For each document provided, indicate on the document (or in some similar manner) the number of the item to which it responds.
- * For each numbered item, identify all persons consulted in the preparation of the answer.
- * For purposes of this request, the term "you" or "your" refers to the company, corporation and any officer, principal, agent employee, or any other person(s) associated in any capacity.
- * If information responsive to a requested item is not in your possession, identify the person(s) from whom the information may be obtained.
- * If information that is not known or available at the time you make your response later becomes known or available to you, you must supplement your response.
- * If, at any time after you submit your response, you find that any part of the information you submitted is incomplete, false, or misrepresents the truth, you must notify the EPA immediately.
- * You must provide the requested information even though you consider it confidential information or trade secrets. If you want to make a confidentiality claim covering part or all of the information submitted, identify the material with words such as "trade secret," "proprietary," or "company confidential."
- * The EPA will disclose this information only to the extent and by the means described in 40 CFR Part 2, Subpart B., provided that it qualifies as confidential business information.
- * A request for an extension to the time limit for responding must be in writing and must be postmarked within five (5) calendar days of receipt of this information request. Address it to the person identified in the cover letter to receive your response.
- * Copies of the Code of Federal Regulations may be obtained from the U.S. Government Bookstores or on the Internet at www.epa.gov/epahome/cfr40.htm.
- * This request for information is not subject to the approval requirements of the Paperwork Reduction Act of 1980.
- * The EPA encourages you to conserve resources. Suggested methods include use of recycled paper, printing on both sides (duplex printing), and when possible submitting documents electronically (i.e., email or compact discs). If hard copy submittals are necessary, please do not submit documents in binders.

Not responding to this information request within the stated time limit and in accordance with these instructions may subject your facility to an enforcement action which could include the imposition of penalties of up to \$37,500 per violation, per day of continued noncompliance. Providing false, fictitious, or fraudulent statements or representations could lead to criminal penalties.

